IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2225 OF 2006

M/s.Chaudhari Yatra Company Pvt.Ltd. .. Petitioner
V/s
Shri.S.S.Chaudhari, Sales Officer,
Hindustan Petroleum Corporation Ltd.
& Ors. .. Respondents

Mr.R.D.Soni i/by M/s.Ram & Co. for the Petitioner.

Mr.M.D.Siodia with Ms.Retiwala i/by M/s.Rustomji Ginwala for Respondent Nos.1 and 2.

Mr.P.I.Khemani, AGP for Respondent Nos.3 to 5.

CORAM: DR.S.RADHAKRISHNAN & V.M.KANADE, JJ.

DATE : 16th August, 2006.

P.C.:

1. Heard the learned Counsel for the Petitioner, the learned Counsel for Respondent Nos.1 & 2 and the learned AGP for Respondent Nos.3, 4 & 5. Having regard to the facts and circumstances of this case, we direct the Respondent Nos.3 & 4 to remove the Gas Cylinders which are referred to in the order dated 6.2.2006 passed by the Additional Collector, Nashik.

2. The Respondent No.4 to collect all the Gas Cylinders which are referred to in the aforesaid order dated 6.2.2006 passed by the Additional Collector, Nashik and keep the same in his custody until the enquiry is over.

3. It is made clear that Respondent Nos.3, 4 and 5 shall not sell the said Gas Cylinders till the aforesaid enquiry is fully completed. Enquiry shall be completed

within a period of three months from today.

4. In view of the above directions, the learned Counsel for the Petitioner seeks leave to withdraw this Petition with liberty to approach by way of an Appeal (if aggrieved). Petition is therefore allowed to be withdrawn with the aforesaid liberty. The contentions of both the parties are kept expressly open.

(DR.S.RADHAKRISHNAN, J.)

(V.M.KANADE, J.)